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I N S E N A T E

March 10, 2016

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the parks, recreation and historic preservation law, in relation to the leasing and licensing of property

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 2-d of section 3.09 of the parks, recreation
2 and historic preservation law, as amended by chapter 263 of the laws of
3 2012, is amended to read as follows:
4 2-d. Be empowered, in addition to any other provision of law authoriz-
5 ing the leasing or licensing of property under its jurisdiction, to
6 encourage investment by the private sector for the provision of equip-
7 ment and capital improvements at historic sites, state park and recre-
8 ation facilities by entering into lease or license agreements for an
9 extended term not to exceed forty years at the following: in the first
10 park region, for services provided at the observation tower, and for
11 buildings and structures commonly known as the Cave of the Winds build-
12 ing, the Top of the Falls Restaurant, the administration building, the
13 visitor center, the Goat Island center, the snack bar at the Cave of the
14 Winds, the current police building, the original Prospect Point elevator
15 building, the lower landing snack bar and the Schoellkopf Museum,
16 including improvements to structures and facilities appurtenant thereto
17 at Niagara Reservation State Park, the site of the former casino, the
18 former commission house and the eighty-slip boat marina within the boun-
19 daries of Beaver Island state park and the structures known as the navy
20 barracks, the post theater, the officers' club and the commandant's
21 house within Fort Niagara state park, buildings and structures at
22 Deveaux Woods state park, and buildings and facilities within Knox Farm
23 state park; in the second park region, the building known as Minturn
24 Mansion within Long Point on Lake Chautauqua state park; in the third
25 park region, for buildings and structures commonly known as the Glen
26 Iris Inn, the Pioneer Museum, the Pinewood Lodge, the Prospect house,
27 the Lauterbrunnen house, the Lower Falls restaurant building, the pool

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD14456-01-6

1 concession stands, the North Entrance visitor center, the administration
2 building, the Commission house and the Stone building, including
3 improvements to structures and facilities appurtenant thereto at Letch-
4 worth State park; in the fourth park region, the structures known as the
5 caretaker's house and garage within the Buttermilk Falls state park, AND
6 THE CONSTRUCTION AND OPERATION OF A FULL SERVICE MARINA AND CABINS AT
7 SAMPSON STATE PARK; in the seventh park region, the structure known as
8 the brick cottage and associated outbuildings at John Jay Homestead
9 state historic site, the structure known as the Hoyt House and the barns
10 at Ogden Mills and Ruth Livingston Mills state park, the outbuildings at
11 Olana state historic site and the building commonly known as the Staats-
12 burg School in Margaret Lewis Norrie state park; in the eighth park
13 region, for buildings and structures commonly known as the Bear Mountain
14 Inn, the A. K. Morgan Overlook Lodge, the Cliff house, the Hilltop
15 lodge, the Summit lodge, the Echo lodge, the Beaver lodge and the Spring
16 lodge, including improvements to structures and facilities appurtenant
17 thereto at Bear Mountain State Park; in the ninth park region, the
18 Boardwalk Restaurant at Jones Beach state park and the buildings and
19 structures at Nissequogue state park; in the eleventh park region, the
20 structure known as La Tour house, the former bottling plant and dormito-
21 ry for adaptive reuse, and property for the development of a golf course
22 and related facilities within Saratoga Spa state park. Any such lease or
23 license may provide for reasonable rights of access, utilities and park-
24 ing located within the boundaries of the respective park or historic
25 site. Such extended term shall be for the purpose of assuring a lessee
26 or licensee adequate protection against loss of investments in develop-
27 ing, renovating, improving, furnishing and equipping such properties,
28 and the length of the term of any such lease or license shall have a
29 direct relationship to the period required to amortize the investment.
30 Any such lease or license shall be entered into only after a finding by
31 the commissioner that such action is compatible with public enjoyment
32 and participation in adjacent park facilities, and in the case of struc-
33 tures listed on or eligible for the state register of historic places,
34 that such lease or license will encourage investment by the private
35 sector in restoring, preserving and maintaining such properties. In
36 addition, such lease or license shall contain terms and conditions as
37 the commissioner shall deem necessary to address environmental concerns,
38 including any historic and recreational resources of such property; the
39 compatible uses of adjacent park lands and facilities; and otherwise to
40 protect the public interest. The bid prospectus submitted to prospective
41 bidders shall contain specific information concerning the nature of the
42 capital improvements or equipment to be provided by the successful
43 bidder. Revenues from the lease or license of property pursuant to this
44 section shall be deposited into the state park infrastructure fund
45 established pursuant to section ninety-seven-mm of the state finance
46 law.

47 S 2. No lease entered into by the office of parks, recreation and
48 historic preservation for the main house at Caumsett state historic park
49 preserve shall result in the displacement of any currently employed
50 worker or the loss of position, including the partial displacement such
51 as reduction in the hours of non-overtime, wages, or employment bene-
52 fits, or result in the impairment of existing collective bargaining
53 agreements.

54 S 3. This act shall take effect immediately.